IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
James Karanassos

Application No.: 10/785,216

Filing Date: February 24, 2004

For: METHODS AND APPARATUS FOR
         MANAGING VOICE OVER IP TELEPHONY

Confirmation No.: 8838

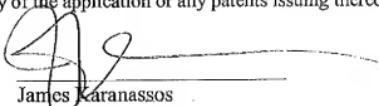Group Art Unit: 2609

Examiner: Tran, Khuong N.

Docket No: 449/120

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR §1.131

I, James Karanassos, hereby declare and say:

1. I am the named inventor of the above-captioned patent application.

2. I conceived and documented my invention at least prior to November 14, 2003.

3. Well prior to November 14, 2003, I submitted documentation to general counsel for ITXC Corp. containing the details of the conception of my invention, which was sufficient to form the basis for U.S. patent application 10/785,216, filed February 24, 2004, which is the instant application. Evidence of this documentation is attached hereto.

4. From the time I conceived the invention until the time the instant patent application was filed I worked diligently to reduce the invention to practice.

5. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the likes so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

James Karanassos

Date: 1-24-08 , 2008

Matt Dernier

From: Jeffrey Kaplan [jkaplan@kaplangllman.com]
Sent: Tuesday, November 25, 2003 9:57 AM
To: Matt Dernier
Subject: Fw: Invention Disclosure form

----- Original Message -----
From: James Karanassos
To: 'Jeffrey Kaplan' ; Ted Weitz
Sent: Tuesday, November 25, 2003 9:27 AM
Subject: RE: Invention Disclosure form

Hi Jeff:

Find enclosed the original email. I have Boston Conference Room reserved from 9:30-10:30 tomorrow, does that work for you?

Thanks.

Jim

> -----Original Message-----
> **From:** Jeffrey Kaplan [mailto:jkaplan@kaplangllman.com]
> **Sent:** Tuesday, November 25, 2003 8:44 AM
> **To:** Ted Weitz; James Karanassos
> **Subject:** Re: Invention Disclosure form
>
> I can not locate the original disclosure form which I thought was previously sent to us. Can I get another copy before we get together tomorrow? Also, James, did we say 9 AM?
>
> Regards,
>
> Jeff K.
>
> > ----- Original Message -----
> > **From:** Ted Weitz
> > **To:** James Karanassos
> > **Cc:** Jeffrey Kaplan (E-mail)
> > **Sent:** Tuesday, November 18, 2003 11:41 AM
> > **Subject:** RE: Invention Disclosure form
> >
> > I have sent it to Jeff Kaplan and he should be in touch with you.
> >
> > **Ted Weitz**
> > Vice President, General Counsel and Secretary
> > ITXC Corp.
> > 750 College Road East
> > Princeton, New Jersey 08540

11/26/2003

+1 609 750 3816
Facsimile: +1 609 750 3458
tweitz@itxc.com <mailto:tweitz@itxc.com>

Hi Ted:

Is anything else needed from my end at this time for this?

Thanks.

-----Original Message-----
From: Ted Weitz
Sent: Wednesday, October 15, 2003 10:54 PM
To: James Karanassos
Subject: RE: Invention Disclosure form

Will do. Thanks for following through with this.

Theodore M. Weitz

Vice President, General Counsel and Secretary
ITXC Corp.
750 College Road East
Princeton, New Jersey 08540
+1 609 750 3816
Facsimile: +1 609 750 3458
tweitz@itxc.com <mailto:tweitz@itxc.com>

-----Original Message-----
From: James Karanassos
Sent: Wednesday, October 15, 2003 10:51 PM
To: Ted Weitz
Subject: Invention Disclosure form

Ted:

I have enclosed a form for a potential patent for Session Controllers. This will be one
of a number potentially related to these devices, please review and let me know the
next steps.

Thanks alot.

Jim

<< File: Invention DisclosureBE.doc >>

INVENTION DISCLOSURE FORM

1. To what technical field is the invention related?

    The use of NexTone Session Controllers as network nodes integrated into ITXC.net removing roadblocks to "clearinghouse model". The current implementation of the Session Controller does not currently have options to clear calls deemed to be "hung" or "stateless"

2. What is the present state of the art with respect to the subject matter of the invention?

    The current implementation of VOIP Session Controllers acting as network elements acting as firewall and Protocol Bridge, enabling multiple partner networks to exchange traffic. The use of these devices allows for demarcation and billing solutions to "clearinghouse models" opening up opportunities at lower cost to TDM interconnects. The current implementations do not have the ability to eliminate "hung" calls or "long calls" from the network elements. Current assumption is that the endpoints involved in the call flow will bear primary responsibility to teardown calls that are ended from either direction.

3. What is the drawback or problem with that state of the art that the invention overcomes?

    Current ITXC.net gateways make use of Cisco IOS commands to initiate call teardown when there are no RTCP packets transmitted between two endpoints. ITXC also takes advantage of a script that resides on all owned gateways locally to teardown calls once the uptime is deemed over 180 minutes. There is not a current option to take the problematic calls down from neither the NexTone Session controller nor any other known Session Controller with the options for combating "hung calls

4. What did you change to solve the problem?

Note: This question should be answered with the SPECIFIC hardware, software, or other changes made to solve the problem, NOT with generalities, and NOT by touting the benefits of the invention. For example, consider the invention of the spell check feature of a word processor.

An answer that does not help a patent lawyer is: This invention is a totally automated and unique manner of ensuring there are no spelling errors. The user is given a user-friendly interface to invoke the process, which automatically ensures that no document contains spelling errors. Additionally, the process is very flexible, allowing for new words that may be unique to the users business.

A good answer that helps the patent lawyer: We store a dictionary of allowable words. The document is compared to the dictionary upon a user command. If there is a word in the document that is not in the dictionary, the user is alerted. The invention includes commands to change the contents of the dictionary.

Note the second answer above very clearly indicates the features believed to be new, but the first answer largely touts benefits. The patent process requires a very specific definition of the exact new features of the invention.

ITXC constructs an application that runs the specific command "cli gk call cache" from a cron job, every 5 minutes, measuring the call id's and uptime values for each id. Any call that is over the set time limit (180 min) will be released from the Session Controller, also via command line script. All call id's will be analyzed for RTCP packets being sent between the session controller and the endpoints in the call, any call that is below the time value of 180 min that is not processing RTCP packets will have the call release via the command line script.

5. Has the invention been disclosed outside of ITXC? Has such outside disclosure been under protection of a Confidentiality Agreement?

The 180 min call tear down application has *not* been discussed with NexTone representatives in conjunction with their software Border Element solution. The discussion of implementation RTCP timers on the Nextone Border element solution has taken place, a "soft" implementation has been expressed as Q1 2004.

6. If so, when was the earliest such disclosure?

August 28, 2003 for RTCP timer feature request.

7. Where and how is the invention documented other than in this disclosure form? Please provide any (formal or informal) drawings, diagrams, or flowcharts of the invention that may be helpful in understanding the invention.

8. Name of Inventor(s): _____

9. Date of disclosure: _____